



"When you walk with purpose, you collide with destiny."

– Bertice Berry

Purchasing Update

Division of Purchasing, Idaho Department of Administration

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IPPA Purchasing Training



The Idaho Public Purchasing Association Chapter of NIGP (IPPA) is now offering purchasing training to its members. IPPA sponsors NIGP webinars that members can participate in for little or no cost. Membership in IPPA is open to all Idaho public purchasing professionals and purchasing related staff. For more information on IPPA, webinars, and the benefits of being a member check out their new web site at <http://www.nigp-idaho.org>



Agency Visits

Lyle Gessford, State Purchasing Manager, and Gregory Lindstrom, IT Purchasing Officer, will be traveling to Eastern Idaho September 21-23 and Northern Idaho October 12-14 making agency visits. The purpose is to introduce Gregory and to discuss purchasing issues with institutions and regional and district agencies offices. The Division of Purchasing will be contacting agencies with a visitation schedule soon.

Governor's Business Opportunity Conference



The Idaho Business Network's 17th annual Governor's Business Opportunity Conference will be held November 9, 2005 at the Boise Center on the Grove. If you are not familiar with this event, it is a reverse trade show where state and federal agencies and large corporations set up booths and the business community comes to see us. Approximately 200 small businesses attend the conference each year. It has become a great opportunity for small, woman owned, and disadvantaged businesses to meet one-on-one with buyers. There is no fee for buyers. The IBN provides booth space, company sign cards, skirted tables and chairs, all at no cost. If your agency, city, county, school district, or other public entity would like to participate in this event or need more information contact Larry Demirelli at 208-224-2470 or email at: larry.demirelli@business.idaho.gov



Purchasing Conference on Sustainable Purchasing

The Idaho Division of Purchasing in cooperation with the Idaho GEMSTARS, the Idaho Public Purchasing Association, and the Idaho Department of Environmental Quality is sponsoring a 2-day conference on Sustainable Purchasing Strategies October 27-28 in Boise. Purchasing officials from all state and public agencies are invited to attend. There is no cost for this event. The preliminary agenda is:

Oct 27 – Sustainable Purchasing Strategies - presentation by Scot Case, Director of the Alvernia College Faculty, Reading, PA, and representing the Procurement Strategies Center for the Center for a New American Dream – “Sustainable”, “environmentally preferable”, or “green” purchasing is an effort to purchase products and services with a reduced effect on the environment and human health within our budget limitations. It is much more than just recycling efforts. This presentation will help you understand the importance of sustainable purchasing and point to the many resources that are available to help you get started.

Oct 28 – presentations on:

- Idaho GEMSTARS - pollution prevention measures in Idaho
- Idaho Dept. of Environment Quality - Clean Cities and alternate fuel and hybrid vehicles
- Metafore - Environmental Paper Assessment Tool (EPAT)
- Zero Waste Alliance - Environmentally Preferable Purchasing of Electronics (EPEAT) – (*tentative – speaker not yet confirmed*)
- And others yet to be determined

More information on this conference will be published in a few weeks as the schedule and speakers are confirmed. Mark your calendars now to attend!

Purchasing Q & A

Q: Are public officers and employees protected from personal liability arising from contracts?

A: Yes. In general, all public employees are protected from personal liability when acting within the course and scope of their employment. Under Idaho Code section 6-903, the employing state agency must supply the legal defense for its employees and pay any damages for claims as long as the employee was within the course and scope of their employment duties. Routine negligence such as transposing a number is within the scope and course of employment, although it probably won't help in the next performance evaluation. As additional protection, most state contracts contain a provision that state officials, officers and agents are not personally liable. (*Note: this answer supplied by the Office of the Attorney General*)

Q. Are public officers and employees protected from prosecution regarding contractual matters?

A. No. If a public officer/employee intentionally violates the law or acts with malice, that person is outside the course and scope of employment and could be personally liable. Depending upon the circumstances, the officer/employee can be charged with either misdemeanors or felonies resulting in fines or incarceration. Here is a list of prohibited activities and the consequences for violation:

- Using a state contract for personal benefit – I.C. 67-5726(1) - misdemeanor – I.C. 67-5734(1)
- State employee/public official holding a state contract for his dept - contracts with other depts allowed only if competitively bid – I.C. 67-5726(1) - misdemeanor – I.C. 67-5734(1)
- Employee attempt to influence an award or to deprive a contractor from getting an award – I.C. 67-5726(2) - misdemeanor – I.C. 67-5734(1)
- Employee and vendor conspiring to influence an award or to deprive a contractor from getting an award – I.C. 67-5726(3) - felony – I.C. 67-5734(2)
- Not using a state or agency contract (open contract) without justifiable cause – I.C. 67-5726(4) - reprimand and suspension without pay – I.C. 67-5734(3)
- Accepting property that does not meet specifications – I.C. 67-5726(4) - reprimand and suspension without pay – I.C. 67-5734(3)
- Awarding a contract to a vendor who paid for services in preparing the bid or influenced the bid process – I.C. 67-5726(6) - misdemeanor – I.C. 67-5734(1)
- Willfully or knowingly splitting requisitions to avoid bidding process – I.C. 59-1026 - civil penalties up to \$5,000 – I.C. 59-1026
- Not disclosing a conflict of interest – I.C. 59-705 – civil penalties up to \$500 – I.C. 59-705
- Accepting a bribe – I.C. 18-1352 – felony – I.C. 18-1352
- Accepting gifts exceeding \$50 in value from a person interested in or likely to become a contractor – I.C. 18-1356(C) – misdemeanor, fine up to \$1000, incarceration up to 1 year – I.C. 18-1360

For more detailed information, download a copy of the Attorney General's publication *Idaho Ethics in Government* at: <http://www2.state.id.us/ag/manuals/ethicsingovernment.pdf>



People On The Move

Sue Loe, former Buyer at State Hospital South, has moved to the Senior Buyer position at Idaho State University replacing retiree Janet Williams.



Statewide Contracts Updates

Office Furniture. Effective July 22, 2005 and for a two-year period, new contracts for Hon Office Furniture have been awarded. There are three contractors. They are:

- Zone 1 - Corporate Express - SBPO1232
- Zone 2 - Intermountain Design - SBPO1227
- Zone 3 - Business Interiors of Idaho - SBPO1228
- Zones 4, 5, and 6 - Corporate Express - SBPO1229

Computers & Peripherals (Including WSCA Contracts. Effective August 1, 2005 and for a two-year period, a new contract (PADD1018) for ThinkPad Notebooks, ThinkCentre Desktops, and related accessories has been awarded to Lenovo (United States) Inc. These products were previously provided under the by IBM Corporation contract. There is also a link to the Lenovo website.

Ammunition. Effective July 1, 2005 and for a two-year period, new contracts for Ammunition have been awarded. There are four contractors. They are:

- Territorial Supplies - SBPO1222
- Adamson Police Products - SBPO1223
- The Hunting Shack - SBPO1224
- Salt Lake Wholesale Sports - SBPO1225

Envelopes. Effective August 1, 2005 and for a one-year period, a new contract (SBPO1231) was awarded to Allied Envelope Company.

Bulk Fuels. All of the contracts have been extended until July 31, 2006. The web site has been updated.

Carbonless Forms. Effective August 11, 2005 for a one-year period, a new contract (SBPO1233) was awarded to Progressive Printing.

Contracts are being prepared for new awards on Bond Paper. It should be posted within the next two weeks.

Bids for Paper & Plastic Products, Vehicles, and Tires are being prepared for issuance in September.

Purchasing Update is a newsletter for the **Department of Administration, Division of Purchasing** designed to provide purchasing information to state and public agency purchasing personnel. Anyone wishing to contribute information and ideas for future articles; has questions regarding state purchasing issues; the **Division of Purchasing** mission or activities, please contact Frank Pierce at (208)-327-7322 or frank.pierce@adm.idaho.gov